

ABC PROCESS SERVICE, INC.
Attorney:
COHEN MILSTEIN HAUSFELD & TOLL,
P.L.L.C.
Index No. 6126/08
Date Filed 07/03/2008
Office No. CMHT011330B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRANK B. FALKSTEIN INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS SIMILARLY SITUATED

(PLAINTIFF)

against

NEXCEN BRANDS, INC , ETAL

(DEFENDANT)

STATE OF NEW YORK, COUNTY OF NEW YORK SS:

SCHADRAC LAGUERRE being duly sworn deposes and says:
I am over 18 years of age, not a party to this action and reside in the State of
New York:

That on the 16 day of July 2008 at 2:30 PM , at

C/O NEXCEN BRANDS, INC.; 1330 AVE. OF THE AMERICAS, 34TH FL; NY, NY 10019

I SERVED the SUMMONS AND CLASS ACTION COMPLAINT upon

DAVID S. OROS

the defendant herein named by delivering to and leaving a true copy of said
SUMMONS AND CLASS ACTION COMPLAINT

with a person of suitable age and discretion: to wit, DAVID MEISTER, CO-WORKER,
Deponent described Person served as aforesaid to the best of deponents ability
at the time and circumstances of service as follows:

Sex MALE, Color WHITE, Hair BROWN, app. age 40 YRS, app. ht 5'9", app. wt 185 LBS

That on the 16 day of July 2008 I deposited in the U.S. mails a true copy of the
SUMMONS AND CLASS ACTION COMPLAINT

properly enclosed and sealed in a post-paid wrapper addressed to the said
defendant at the aforementioned

(place of business marked personal and confidential)

C/O NEXCEN BRANDS, INC.; 1330 AVE. OF THE AMERICAS, 34TH FL; NY, NY 10019

BY FIRST CLASS MAIL AND NOT BEARING ANY IDENTIFICATION TO A LAWSUIT.

That at the time of service aforesaid, I asked Person so served or Person spoken
to whether the defendant herein was in the military service of the State of N.Y.
or the United States and received a negative reply. Upon information and belief
based upon the conversation and observation as aforesaid I aver that the
defendant is not in the military service of the State of N.Y. or the United
States as that term is defined in the statutes or the State of N.Y. or the
Federal Soldiers and Sailors Civil Relief Act.

SWORN to before me this 16
day of July 2008

AY BRODSKY
Notary Public, State of New York
No. 31-4683271
Qualified in New York County
Commission Expires Feb. 2, 2011

SCHADRAC LAGUERRE
License No.: 1021952 :lf